

ATTN: BOX PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mamoru HORIKOSHI, Koki MAMETSUKA and Takashi HIROOKA

Serial No.: 09/508,418

PCT/JP98/04064, filed September 10, 1998

Filed: March 13, 2000

For: NOVEL PROTOPORPHYRIN GEN OXIDASE TOLERANT TO PHOTBLEACHING
HERBICIDESUBMISSION OF EXECUTED DECLARATION**ATTN: BOX PCT**Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", mailed May 8, 2000, submitted herewith is the Declaration for the above-mentioned application properly executed by the inventors. Also enclosed please find an executed Assignment and PTO Form 1595.

The Office is directed and authorized to charge the statutory fee of \$ 130.00 and Assignment recordation fee of \$ 40.00 to Deposit Account No. 19-4880. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.492 and any petitions for extension of time under 37 C.F.R. 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,

Waddell A. Biggart / *Bruce E. Kramer*
Waddell A. Biggart
Registration No. 24,861

SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 293-7060
WAB:alb

Date: June 8, 2000

SOLE/JOINT

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name: that I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought in the application entitled:

NOVEL PROTOPORPHYRINOGEN OXIDASE TOLERANT TO PHOTBLEACHING HERBICIDE

which application is:

the attached application

(for original application)

PCT/JP98/04064, filed September 10, 1998X application Serial No. 09/508,418.filed March 13, 2000, and amended on(for declaration not accompanying application)

that I have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 C.F.R. 1.56, that I hereby claim priority benefits under Title 35, United States Code §119, §172 or §365 of any provisional application or foreign application(s) for patent or inventor's certificate listed below and have also identified on said list any foreign application for patent or inventor's certificate on this invention having a filing date before that of any foreign application on which priority is claimed:

Application Number	Country	Filing Date	Priority Claimed (yes or no)
9/265084	Japan	September 11, 1997	yes

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material under 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status
(patented, pending, abandoned)

(30) I hereby appoint John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603 and George F. Lehnigk, Reg. No. 36,359 my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application

be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: <u>May 22, 2000</u>	First Inventor: <u>Mamoru HORIKOSHI</u> (First Name, Middle Initial, Last Name)
Residence: <u>Osaka, Japan</u> <u>JPX</u>	Signature: <u>M Horikoshi</u>
Citizenship: Japanese	Post Office Address: c/o Nihon Nohyaku Sougou Kenkyusho, 345, Oyamadacho, Kawachinagano-shi, Osaka 586-0094 JAPAN
Date: <u>May 22, 2000</u>	Second Inventor: <u>Koki MAMETSUKA</u> (First Name, Middle Initial, Last Name)
Residence: <u>Osaka, Japan</u> <u>JPX</u>	Signature: <u>Koki</u>
Citizenship: Japanese	Post Office Address: c/o Nihon Nohyaku Sougou Kenkyusho, 345, Oyamadacho, Kawachinagano-shi, Osaka 586-0094 JAPAN
Date: <u>May 22, 2000</u>	Third Inventor: <u>Takashi HIROOKA</u> (First Name, Middle Initial, Last Name)
Residence: <u>Osaka, Japan</u> <u>JPX</u>	Signature: <u>Takashi</u>
Citizenship: Japanese	Post Office Address: c/o Nihon Nohyaku Sougou Kenkyusho, 345, Oyamadacho, Kawachinagano-shi, Osaka 586-0094 JAPAN